

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
Southern Division**

LESLIE ANNE FOGARTY	:	
Plaintiff	:	
v.	:	Case No. CCB 04 CV 414
DONNA LYNN BAKER	:	
Defendant.	:	

**MOTION FOR LEAVE TO SUBSTITUTE PARTY DEFENDANT  
AND FILE AN AMENDED COMPLAINT**

COMES NOW Plaintiff, LESLIE A. FOGARTY, by and through court appointed counsel, Gary Siegel, and moves this honorable Court for leave to substitute Defendant and file an Amended Complaint in this matter, and for reasons therefore, states as follows:

1. That Plaintiff, *pro se*, filed a Complaint in this Court for damages due to catastrophic injuries (closed head trauma) due to a vehicular collision in the State of West Virginia, in which collision Plaintiff was a passenger in Defendant Donna Lynn Baker's vehicle. The aforesaid claim was for uninsured motorist coverage.
2. That Plaintiff notified the Court of major disabilities and received consideration therefore, by appointment of counsel to represent Plaintiff.
3. That because of Plaintiff's disability, she was unaware that the proper party Defendant in an underinsured complaint, is the insurance carrier, vice the policyholder.

WHEREFORE, Plaintiff respectfully prays that she be granted leave to substitute Allstate Insurance Company for Donna Lynn Baker as Defendant, and to file an Amended Complaint which is attached hereto and prayed to be made a part hereof.

Respectfully submitted,

/s/Gary Siegel  
Gary Siegel, Esquire, #01895  
401 N. Washington Street  
Suite 500  
Rockville, Maryland 20850  
(301) 251-6200  
Attorney for Plaintiff

CERTIFICATE OF SERVICES

I hereby certify that on the 18th day of November, 2005, the foregoing Motion For Leave To Substitute Party Defendant and File an Amended Complaint and proposed Order was mailed first class, postage prepaid, to:

Charles E. Wilson, III  
100 S. Washington Street  
Rockville, MD 20850  
[Attorney for Defendant  
Donna Lynn Baker]

/s/ Gary Siegel  
Gary Siegel

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:

Defendant.

:

**ORDER**

The matter having come before the Court on the filing of Plaintiff's Motion For Leave To Substitute Party Defendant and file an Amended Complaint and [no] opposition filed thereto, and the matter having been considered, it is this \_\_\_\_\_ day of \_\_\_\_\_, 2005 hereby

ORDERED that Plaintiff's Motion For Leave be and the same is hereby granted and it is further,

ORDERED that Plaintiff be allowed to file the attached Amended Complaint against Defendant Allstate Insurance Company.

\_\_\_\_\_  
Judge